

EXHIBIT 17

(To be filed under seal)

ORIGINAL
FILED

APR 03 2013

RICHARD W. WICKING
CLERK, U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

No.

ORDER AUTHORIZING INTERCEPTION
OF WIRE AND ELECTRONIC
COMMUNICATIONS AND OBTAINING
OF GPS LOCATION INFORMATION

FILED UNDER SEAL

IN THE MATTER OF THE
APPLICATION OF THE UNITED
STATES FOR AN ORDER
AUTHORIZING THE INTERCEPTION
OF WIRE AND ELECTRONIC
COMMUNICATIONS ON CELLULAR
TELEPHONES [REDACTED] AND
[REDACTED] AND THE
OBTAINING OF GPS PRECISE
LOCATION INFORMATION FOR
THE SAME TELEPHONES, AND
INTERCEPTION OF WIRE
COMMUNICATIONS ON
TELEPHONES [REDACTED] AND
[REDACTED]

1 Application under oath having been made before me by William Frentzen, an Assistant
2 United States Attorney for the Northern District of California, an investigative or law
3 enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7), and an
4 attorney for the government as defined in Rule 1(b)(1)(B) of the Federal Rules of Criminal
5 Procedure, for an order authorizing the interception of wire and electronic communications and
6 the obtaining of global positioning system (herein "GPS") precision location information, and
7 full consideration having been given to the matters set forth therein, the Court finds:

8 1. The Application is made pursuant to the authority of Deputy Assistant Attorney
9 General Paul O'Brien, a specially designated representative of the Attorney General of the
10 United States, and therefore satisfies the dictates of 18 U.S.C. § 2516(1).

11 2. There is probable cause to believe that the following individuals: Keith
12 JACKSON ("JACKSON"), [REDACTED], California State
13 Senator Leland YEE ("YEE"), [REDACTED]

14 [REDACTED], Brandon JACKSON ("Brandon
15 JACKSON"), Marlon SULLIVAN ("SULLIVAN"), Kwok Cheung CHOW, a/k/a Raymond
16 Chow, a/k/a Shrimp Boy, a/k/a Ha Jai ("CHOW"), [REDACTED]

17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 Barry HOUSE, a/k/a Black ("HOUSE"), and [REDACTED], and others whose
23 identities are presently unknown (collectively, the "Target Subjects and Interceptees"), have
24 committed, are committing, and will continue to commit violations of one or more of the
25 following federal felony offenses enumerated in 18 U.S.C. § 2516 (the "Target Offenses"), that
26 is:

27 (a) mail fraud and wire fraud, in violation of Title 18, United States Code, Sections
28 1341, 1343, and 1346;

1 (b) money laundering, in violation of Title 18, United States Code, Section 1956;
2 (c) violations of the Travel Act, in violation of Title 18, United States Code, Section
3 1952;
4 (d) conspiracy to distribute controlled substances, in violation of Title 21, United
5 States Code, Section 846;
6 (e) distribution of controlled substances, in violation of Title 21, United States Code,
7 Section 841;
8 (f) use of communication facility to commit or facilitate narcotics offense, in
9 violation of Title 21, United States Code, Section 843(b); and
10 (g) unlawful engaging in the business of dealing in firearms without a license; in
11 violation of Title 18, United States Code, Section 922(a)(1); and
12 (h) interstate transportation of stolen property, in violation of Title 18, United States
13 Code, Section 2314.

14 3. There is probable cause to believe that particular wire and electronic
15 communications of the Target Subjects and Interceptees concerning the offenses described
16 above, will be obtained through the interception of wire and electronic communications
17 requested in this application. Specifically, there is probable cause to believe that the cellular
18 telephones bearing the following identification described in further detail below:

19 **Target Telephone 1**

20 Suspected Primary User: Keith JACKSON

21 Call Number: [REDACTED]

22 IMSI/IMEI: [REDACTED]

23 Provider: T-Mobile

24 Subscriber: [REDACTED]

25 San Francisco, CA 94109

26 **Target Telephone 2**

27 Suspected Primary User: Senator Leland YEE

28 Call Number: [REDACTED]

MEI: [REDACTED]

Provider: Verizon

Subscriber: [REDACTED]

San Francisco, CA 94121

1
2
3 Target Telephone 3

4 Suspected Primary User: Leland Yee
5 Call Number: [REDACTED]
6 Provider: AT&T
7 Subscriber: [REDACTED]
8 Located at: [REDACTED]
9 San Francisco, CA 94122

10
11 Target Telephone 4

12 Suspected Primary User: Leland Yee
13 Call Number: [REDACTED]
14 Provider: AT&T
15 Subscriber: [REDACTED]
16 Located at: [REDACTED]
17 San Francisco, CA 94122

18 (herein "Target Telephones") are being used to commit the Target Offenses. There is also
19 probable cause to believe that the obtaining of precision location information of the Target
20 Telephones 1 and 2 will constitute or lead to evidence of the Target Offenses. In particular:

- 21 a. There is probable cause to believe that the Target Telephones have been, are
22 now, and will continue to be used to commit the Target Offenses;
- 23 b. There is probable cause to believe that the Target Telephones have been, are
24 now, and will continue to be used by the Target Subjects and Interceptees in
25 connection with the commission and attempted commission of the Target
26 Offenses; and
- 27 c. There is probable cause to believe that particular wire and electronic
28 communications of the Target Subjects and Interceptees and others as yet
unknown, concerning the Target Offenses, will be obtained through the
interception of wire and electronic communications requested in this Application.
In particular, the wire and electronic communications are expected to identify,
among other things:

1 (i) the nature, extent and methods of operation of all of the Target Subjects' 1
2 scheme to commit the Target Offenses;
3 (ii) the identity of all of the Target Subjects' accomplices, aiders and abettors, 3
4 co-conspirators and participants in their commission of the Target Offenses;
5 (iii) the receipt and distribution of all contraband and money involved in the 5
6 Target Offenses;
7 (iv) the locations and items used in furtherance of the Target Offenses;
8 (v) the existence and locations of all records relating to the Target Offenses;
9 (vi) the location and source of all resources used to finance the Target Offenses;
10 and
11 (vii) the location and disposition of all of the proceeds from the Target Offenses.

12 4. Traditional investigative techniques have been tried and have failed. Additional
13 efforts to employ normal investigative techniques reasonably appear unlikely to succeed in the
14 future, or to be too dangerous to utilize, and they reasonably appear unlikely to reveal the full
15 scope of the unlawful activities, the roles of the individuals involved, or the identities of other
16 participants.

17 5. This Order authorizes the interception of wire and electronic communications on
18 **Target Telephones 1 and 2** in connection with the pending investigation of violations of the
19 Target Offenses. This Order also authorizes the interception of wire communications on **Target**
20 **Telephones 3 and 4** in connection with the pending investigation of violations of the Target
21 Offenses. Pursuant to Rule 41 of the Federal Rules of Criminal Procedure, this Order also
22 authorizes the obtaining and use of GPS precision location information for **Target Telephones 1**
23 and **2**.

24 WHEREFORE, IT IS HEREBY ORDERED that Special Agents of the Federal Bureau of
25 Investigation ("FBI") and other federal and specifically designated local law enforcement
26 officers, as well as language specialists employed by the FBI, are authorized, pursuant to an
27 application authorized by a duly designated official of the Criminal Division, United States
28 Department of Justice, pursuant to the power delegated to him by special designation of the

1 Attorney General and vested in the Attorney General by 18 U.S.C. § 2516, to intercept the wire
2 and electronic communications of the Target Subjects and Interceptees on Target Telephones 1
3 and 2 and wire communications of the Target Subjects and Interceptees on Target Telephones 3
4 and 4 concerning the Target Offenses listed above. Pursuant to 18 U.S.C. § 2518(5), such
5 interception shall not terminate automatically after the first interception that reveals the manner
6 in which the alleged co-conspirators and others as yet unknown conduct their illegal activities,
7 but may continue until all communications are intercepted which reveal fully the manner in
8 which the interceptees and others as yet unknown are committing the offenses described herein,
9 the manner in which the interceptees and others as yet unknown participate in the specified
10 offenses; the level of involvement and the identity of all coconspirators and aiders and abettors
11 who are acting in concert with the interceptees of this application; and the precise nature and
12 scope of the illegal activities and conspiracy as described above, or for a period of 30 days
13 measured from the earlier of the day on which the investigative or law enforcement officers first
14 begin to conduct the authorized interception, or ten days after the date this Order is signed by the
15 Court.

16 IT FURTHER APPEARING THAT, during the course of the interception, the service
17 provider may change:

18 IT IS FURTHER ORDERED that this Order is binding on any domestic USA service
19 provider providing wire and electronic communications service to the Target Telephones
20 without further order of this Court upon service of a certified copy of this Order.

21 IT IS FURTHER ORDERED that T-Mobile, Verizon, AT&T, or any subsequent service
22 providers as defined in 18 U.S.C. § 2510(15), shall notify the applicant immediately if and when
23 the Device Number/ESN/IMSI/MEID, or the telephone number for the Target Telephone is
24 supplied to another service provider.

25 IT IS FURTHER ORDERED that in the event that the service provider for the Target
26 Telephone changes during the course of the interception, interception may continue with the new
27 service provider without further order of this Court upon service of a certified copy of the
28

1 Court's Order.¹⁴ The United States will advise the Court of the change of service provider in the
2 periodic progress reports submitted to this Court.

3 IT IS FURTHER ORDERED that the authorization given during this 30-day period shall
4 apply not only to the telephone number listed above for the **Target Telephones**, but to any
5 changed telephone number(s) or other telephone number(s) subsequently assigned to or used by
6 the instrument(s) bearing the same IMEI numbers listed above, or to any new IMEI number(s)
7 assigned to the telephone number listed above for the **Target Telephones**. It is further ordered
8 that the authorization to intercept wire communications apply to background conversations
9 intercepted through the **Target Telephones** while the **Target Telephones** are off the hook or
10 otherwise in use. It is further ordered that the authorization to intercept the wire and electronic
11 communications of the Target Subjects and Interceptees occurring on the **Target Telephones**
12 apply to voice-mail messages intercepted as they are left or retrieved. It is further ordered that
13 the authorization to intercept the wire communications of the interceptees occurring over the
14 **Target Telephones** apply to any push-to-talk communications. The authorization given is
15 intended to apply not only to the numbers for **Target Telephones 3 and 4** listed above, but to
16 any changed telephone numbers assigned to the same cables, pairs and binding posts used by the
17 landline **Target Telephones 3 and 4**, within the thirty (30) day period. The authorization is also
18 intended to apply to the **Target Telephone** numbers regardless of the service provider and to any
19 background conversations intercepted in the vicinity of the **Target Telephones** while the
20 telephones are off the hook or otherwise in use.

21 IT IS FURTHER ORDERED that, because of the inherent mobility of **Target**
22 **Telephones 1 and 2**, and pursuant to 18 U.S.C. § 2518(3), in the event that **Target Telephones**
23 **1 and 2** move outside the territorial jurisdiction of this Court, the Northern District of California,
24
25

26
27
28 ¹⁴ This order remains effective in the event that the **Target Telephones** are transferred to
another carrier pursuant to "Local Number Portability," which allows a telephone user to change
his telephone company but still keep the same telephone number. However, such transferred
effect of the order will apply only if the **Target Telephones** are transferred (i.e. "ported") to
another telephone carrier, and the telephone number and subscriber information remain the same.

interceptions may still take place in the Northern District of California where interceptions will first occur and be minimized.

IT IS FURTHER ORDERED that, pursuant to 18 U.S.C. § 2518(5), the period of authorized interception set forth in the order runs from the earlier of the day on which the investigative or law enforcement officer first begins to conduct the authorized interception or ten days after the Order is signed by the Court.

IT IS FURTHER ORDERED that, based upon the request of the applicant, pursuant to 18 U.S.C. §§ 2703, 3122 and 3123, T-Mobile, Verizon, AT&T, the telephone service providers for the **Target Telephones**, and any other related provider of wire and electronic communications services as defined in 18 U.S.C. § 2510(15), shall provide the following services concerning the **Target Telephones**, if available: caller ID., speed dialing, call waiting, reverse number searches, historical cell site information,²⁷ toll records, and related information as described above, pen register data and trap and trace extended digit-dialed data, direct connect/digital dispatch (“Push to Talk”) services, three-way calling, and all other services. These services are to be provided to the government on an “as needed basis” to be determined by FBI.

IT IS FURTHER ORDERED, based upon the request of the Applicant pursuant to 18 U.S.C. 2518(4) and 18 U.S.C. § 2518(5), that T-Mobile, Verizon, AT&T, and any related wire and electronic communication service providers as defined in 18 U.S.C. § 2510(15), shall furnish and continue to furnish T-Mobile, Verizon, AT&T, with all information, facilities, and technical assistance necessary to accomplish the interceptions unobtrusively and with a minimum of interference with the services that such service providers are according the persons whose communications are to be intercepted, and to ensure an effective and secure installation of electronic devices capable of intercepting wire communications over the above-described telephone facilities. T-Mobile, Verizon, and AT&T may use all necessary and reasonable means to carry out the requested interception. The service providers furnishing such facilities or technical assistance shall be compensated by the applicant for reasonable expenses incurred in

2. This includes the physical address of the cell sites and sectors and corresponding antenna information used to identify the location of Target Telephones 1 and 2.

1 providing such facilities or assistance. The switch mechanisms which allow law enforcement to
2 receive audio shall be programmed within four business hours of receipt of the Court's Order.

3 IT IS FURTHER ORDERED that, pursuant to 18 U.S.C. §§ 2703(c) and (d), T-Mobile,
4 Verizon, AT&T, and any related wire and electronic communications service providers as
5 defined in 18 U.S.C. § 2510(15), shall disclose to FBI all published and non-published subscriber
6 records and other information (including toll records) relevant to this investigation, that is, all
7 such information pertaining to telephone numbers associated with telephones, digital display
8 devices, and mobile telephones utilized, if any, which may be requested in furtherance of this
9 investigation, within 24 hours of said verbal or written request, and, provide these records and
10 information electronically, when requested. Such information shall include, but not be limited
11 to, subscriber date of birth, driver's licenses (state of issuance and number), social security
12 number, available contact names and numbers, employment information, all telephone numbers
13 listed to subscribers under the same or different account, method of payment, length of service,
14 periods of telephone activation, account and billing information, and incoming and outgoing toll
15 information (both historical and ongoing), including direct connect/digital dispatch ("Push to
16 Talk") services and call detail. It is further ORDERED that, when requested, the service provider
17 shall provide toll information for up to the preceding 90 days. Based upon the specific and
18 articulable facts set forth in the affidavit attached to the application referenced above, there are
19 reasonable grounds to believe that the records and other information to be sought are relevant and
20 material to the ongoing criminal investigation, in that the records and other information will
21 assist law enforcement personnel in fully identifying the named interceptees, their co-
22 conspirators and associates, and in identifying locations used by the organization to conduct its
23 unlawful activities.

24 IT IS FURTHER ORDERED that the furnishing of said information, facilities, and
25 technical assistance by T-Mobile, Verizon, and AT&T, shall terminate after 30 days measured
26 from the earlier of the day on which the investigative or law enforcement officers begin to
27 conduct the interception of wire communications pursuant to this Order, or ten days from the
28 date this Order is signed by the Court, unless otherwise ordered by this Court.

1 IT IS FURTHER ORDERED that, pursuant to Federal Rule of Criminal Procedure 41,
2 that FBI agents may obtain and use global positioning system ("GPS") precision location
3 information to monitor the precise physical location of Target Telephones 1 and 2, including
4 but not limited to data indicating the specific latitude and longitude, or other precise location
5 information of Target Telephones 1 and 2 for a period of thirty days. There is probable cause
6 to believe that the precise location of Target Telephone 1 and 2 at times determined by
7 investigators will constitute or lead to evidence of the Target Offenses.

8 IT IS FURTHER ORDERED that the warrant for the precise location information be
9 returned to the issuing judicial officer within ten days after the termination of the execution of
10 the Order.

11 IT IS FURTHER ORDERED that, pursuant to 18 U.S.C. § 3103a(b) and Federal Rules of
12 Criminal Procedure 41(f)(3), delay of the notification of the acquisition of geolocation
13 information is authorized until such time as the inventory required under Title 18, United States
14 Code, Section 2518(8)(d) is served.

15 IT IS FURTHER ORDERED, to avoid prejudice to this criminal investigation, any
16 individuals shall not disclose or cause a disclosure of this Court's Order, the request for
17 information, facilities, and assistance by the FBI, or the existence of the investigation to any
18 person other than those agents and employees of the FBI (including employees of state and local
19 task forces) who require this information to accomplish the requested interceptions.

20 IT IS FURTHER ORDERED that this Order shall be executed as soon as practicable
21 after it is signed and that all monitoring of wire and electronic communications shall be
22 conducted in such a way as to minimize the interception and disclosure of the communications
23 intercepted to those communications relevant to the pending investigation, in accordance with
24 the minimization requirements of Chapter 119 of Title 18 of the United States Code.

25 IT IS FURTHER ORDERED that the interception of wire and electronic communications
26 authorized by this Court's Order must terminate upon attainment of the authorized objectives or,
27 in any event, at the end of 30 days from the date of this Order, measured from the earlier of the
28

1 day on which the investigative or law enforcement officer first begins to conduct an interception
2 or ten days after the Order is signed by the Court.

3 IT IS FURTHER ORDERED that monitoring of wire and electronic communications
4 must terminate immediately when it is determined that the communications are unrelated to
5 communications subject to interception under 18 U.S.C. Chapter 119. Interception must be
6 suspended immediately when it is determined through voice identification, video surveillance,
7 physical surveillance, or otherwise, that none of the named Target Subjects and Interceptees or
8 any of their confederates, when identified, are participants in the communication, unless it is
9 determined during the portion of the conversation already overheard that the conversation is
10 criminal in nature. If the communication is minimized, the monitoring agent shall spot check to
11 ensure that the conversation has not turned to criminal matters. Special attention will be given to
12 the minimization of all federally-recognized privileges.

13 IT IS FURTHER ORDERED that permission is granted to utilize delayed minimization
14 as authorized by the provisions of 18 U.S.C. § 2518(5) for interceptions in foreign or coded
15 language. In the event that the intercepted communication is in a code or foreign language, and
16 an expert in that foreign language is not reasonably available during the period of interception,
17 minimization shall be accomplished as soon as practicable after such interception.

18 IT IS FURTHER ORDERED, that pursuant to 18 U.S.C. § 2518(5), and its provisions for
19 specialized minimization procedures when intercepting foreign language or coded
20 communications, the following minimization procedures be established:

- 21 a. Should foreign language translators not be reasonably available to minimize
22 communications on the spot, all such communications will be intercepted and
23 recorded in their entirety;
- 24 b. In the event the translator is not a federal agent, the translator, whether he/she is a
25 foreign language-trained support employee or under contract to the government,
26 will be under the supervision of a federal agent; and
- 27 c. Communications monitored by the translator under the supervision of a federal
28 agent will be minimized by the translator, and an English translation of the

1 pertinent criminal communications will be furnished to the supervising federal
2 agent.

3 IT IS FURTHER ORDERED that with respect to electronic communications in particular
4 (i.e. text messages), all monitoring of electronic communications will be conducted in
5 accordance with Chapter 119 of Title 18, United States Code. Each text message will be
6 reviewed over a secure system, and based on the identities of the sender and recipient and the
7 content of the message, monitoring personnel will determine as soon as practicable after
8 interception whether the text message appears to be relevant to the investigation or otherwise
9 criminal in nature. If the message is not criminal in nature, the message will be marked
10 "minimized" and not accessed by other members of the investigative team. If the message
11 appears to be privileged, it will be marked "privileged" and secured from access by other
12 members of the investigative team. If a text message appears to be relevant to the investigation or
13 otherwise criminal in nature, it will be marked "non-minimized" and may be shared with the
14 other agents and monitors involved in the investigation. If a text message is marked "minimized"
15 or "privileged," it will not be disseminated to members of the investigative team. All intercepted
16 text messages will be sealed with the court upon the expiration of the court's order authorizing
17 the interception. It is anticipated that the monitoring location will not be staffed at all times, but
18 will be staffed at regular hours, at which time intercepted communications will be monitored and
19 read (including those intercepted at hours when the location was not staffed). However, even
20 when unmanned, the monitoring location will be kept secured with access limited to only
21 authorized monitoring personnel and their supervising agents.

22 IT IS FURTHER ORDERED that Assistant United States Attorney William Frentzen, or
23 any other Assistant United States Attorney familiar with the facts of the case, provide the Court
24 with a report on or about the 15th day following the date law enforcement officers first begin to
25 conduct interception pursuant to the Court's Order showing what progress has been made toward
26 achievement of the authorized objectives and the need for continued interception. If this report
27 should become due on a weekend or holiday, it is ordered further that such report become due on
28 the next business day thereafter.

1 IT IS FURTHER ORDERED that this Court's Orders, the Application, the accompanying
2 Affidavit, minimization instructions, all periodic reports filed with the Court with regard to this
3 matter, and all other related documents be sealed until further order of this Court, except that
4 copies of the Orders, in full or redacted form, may be served on FBI and on others as necessary to
5 effectuate the Court's Orders.

6
7 DATED April 3, 2013
8

9 TIME: 11:00 a.m.
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

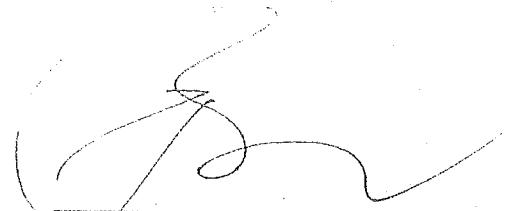

HON. CHARLES R. BREYER
United States District Judge

EXHIBIT 18

(To be filed under seal)

ORIGINAL
FILED

MAY 09 2013

**RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA**

REASERCH IN CLIMATE CHANGE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CRB

IN THE MATTER OF THE
APPLICATION OF THE UNITED
STATES FOR AN ORDER
AUTHORIZING THE INTERCEPTION
OF WIRE AND ELECTRONIC
COMMUNICATIONS ON [REDACTED]
WIRE COMMUNICATIONS ON [REDACTED], AND WIRE AND
ELECTRONIC COMMUNICATIONS
ON [REDACTED] AND THE
OBTAINING OF GPS PRECISE
LOCATION INFORMATION FOR
THE SAME TELEPHONES

No. 13 90 399 MISC
ORDER AUTHORIZING INTERCEPTION
OF WIRE AND ELECTRONIC
COMMUNICATIONS AND OBTAINING
OF GPS LOCATION INFORMATION

FILED UNDER SEAL

SEALED ORDER

1 Application under oath having been made before me by S. Waqar Hasib, an Assistant
2 United States Attorney for the Northern District of California, an investigative or law
3 enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7), and an
4 attorney for the government as defined in Rule 1(b)(1)(B) of the Federal Rules of Criminal
5 Procedure, for an order authorizing the interception of wire and electronic communications and
6 the obtaining of global positioning system (herein "GPS") precision location information, and
7 full consideration having been given to the matters set forth therein, the Court finds:

8 1. The Application is made pursuant to the authority of Deputy Assistant Attorney
9 General Paul O'Brien, a specially designated representative of the Attorney General of the
10 United States, and therefore satisfies the dictates of 18 U.S.C. § 2516(1).

11 2. There is probable cause to believe that the following individuals: Keith
12 JACKSON ("JACKSON"), [REDACTED], California State
13 Senator Leland YEE ("YEE") [REDACTED]

14 [REDACTED], Brandon JACKSON ("Brandon
15 JACKSON"), Marlon SULLIVAN ("SULLIVAN"), Kwok Cheung CHOW, a/k/a Raymond
16 Chow, a/k/a Shrimp Boy, a/k/a Ha Jai ("CHOW"), [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED],

22 Barry HOUSE, a/k/a Black ("HOUSE"), [REDACTED]
23 [REDACTED], and others whose
24 identities are presently unknown (collectively, the "Target Subjects and Interceptees"), have
25 committed, are committing, and will continue to commit violations of one or more of the
26 following federal felony offenses enumerated in 18 U.S.C. § 2516 (the "Target Offenses"), that
27 is:
28

1 (a) mail fraud and wire fraud, in violation of Title 18, United States Code, Sections
2 1341, 1343, and 1346;
3 (b) money laundering, in violation of Title 18, United States Code, Section 1956;
4 (c) violations of the Travel Act, in violation of Title 18, United States Code, Section
5 1952;
6 (d) conspiracy to distribute controlled substances, in violation of Title 21, United
7 States Code, Section 846;
8 (e) distribution of controlled substances, in violation of Title 21, United States Code,
9 Section 841;
10 (f) use of communication facility to commit or facilitate narcotics offense, in
11 violation of Title 21, United States Code, Section 843(b); and
12 (g) unlawful engaging in the business of dealing in firearms without a license, in
13 violation of Title 18, United States Code, Section 922(a)(1); and
14 (h) interstate transportation of stolen property, in violation of Title 18, United States
15 Code, Section 2314.

16 3. There is probable cause to believe that particular wire and electronic
17 communications of the Target Subjects and Interceptees concerning the offenses described
18 above, will be obtained through the interception of wire and electronic communications
19 requested in this application. Specifically, there is probable cause to believe that the cellular
20 telephones bearing the following identification described in further detail below:

21 **Target Telephone 1**

22 Suspected Primary User: Keith JACKSON

23 Call Number: [REDACTED]

24 IMSI/IMEI: [REDACTED]

25 Provider: T-Mobile

26 Subscriber: [REDACTED]

27 San Francisco, CA 94109

28 Type of interception: wire and electronic

27 **Target Telephone 2**

28 Suspected Primary User: Senator Leland YEE

Call Number: [REDACTED]

1 [REDACTED]
2 Provider: Verizon
3 Subscriber: [REDACTED]

4 [REDACTED]
5 Type of interception: wire only

6 Target Telephone 5

7 Suspected Primary User: [REDACTED]
8 Call Number: [REDACTED]
9 IMEI: [REDACTED]
10 Provider: Verizon Wireless
11 Subscriber: [REDACTED]

12 [REDACTED]
13 Type of interception: wire and electronic

14 (herein "Target Telephones") are being used to commit the Target Offenses. There is also
15 probable cause to believe that the obtaining of precision location information of the Target
16 Telephones will constitute or lead to evidence of the Target Offenses. In particular:

- 17 a. There is probable cause to believe that the Target Telephones have been, are
18 now, and will continue to be used to commit the Target Offenses;
- 19 b. There is probable cause to believe that the Target Telephones have been, are
20 now, and will continue to be used by the Target Subjects and Interceptees in
21 connection with the commission and attempted commission of the Target
22 Offenses; and
- 23 c. There is probable cause to believe that particular wire and electronic
24 communications of the Target Subjects and Interceptees and others as yet
25 unknown, concerning the Target Offenses, will be obtained through the
26 interception of wire and electronic communications requested in this Application.
27 In particular, the wire and electronic communications are expected to identify,
28 among other things:
 - 29 (i) the nature, extent and methods of operation of all of the Target Subjects'
30 scheme to commit the Target Offenses;

- (ii) the identity of all of the Target Subjects' accomplices, aiders and abettors, co-conspirators and participants in their commission of the Target Offenses;
- (iii) the receipt and distribution of all contraband and money involved in the Target Offenses;
- (iv) the locations and items used in furtherance of the Target Offenses;
- (v) the existence and locations of all documents, books, records and other recordings relating to the Target Offenses;
- (vi) the location and source of all resources used to finance the Target Offenses;
- and
- (vii) the location and disposition of all of the proceeds from the Target Offenses.

4. Traditional investigative techniques have been tried and have failed. Additional efforts to employ normal investigative techniques reasonably appear unlikely to succeed in the future, or to be too dangerous to utilize, and they reasonably appear unlikely to reveal the full scope of the unlawful activities, the roles of the individuals involved, or the identities of other participants.

5. This Order authorizes the interception of wire and electronic communications on Target Telephones 1 and 5 and the interception of wire communications on Target Telephone 2 in connection with the pending investigation of violations of the Target Offenses. Pursuant to Rule 41 of the Federal Rules of Criminal Procedure, this Order also authorizes the obtaining and use of GPS precision location information for the Target Telephones.

WHEREFORE, IT IS HEREBY ORDERED that Special Agents of the Federal Bureau of Investigation (“FBI”) and other federal and specifically designated local law enforcement officers, as well as language specialists employed by the FBI, are authorized, pursuant to an application authorized by a duly designated official of the Criminal Division, United States Department of Justice, pursuant to the power delegated to him by special designation of the Attorney General and vested in the Attorney General by 18 U.S.C. § 2516, to intercept the wire and electronic communications of the Target Subjects and Interceptees on Target Telephones 1 and 5 and the wire communications of the Target Subjects and Interceptees on Target

1 Telephone 2 concerning the Target Offenses listed above. Pursuant to 18 U.S.C. § 2518(5), such
2 interception shall not terminate automatically after the first interception that reveals the manner
3 in which the alleged co-conspirators and others as yet unknown conduct their illegal activities,
4 but may continue until all communications are intercepted which reveal fully the manner in
5 which the interceptees and others as yet unknown are committing the offenses described herein,
6 the manner in which the interceptees and others as yet unknown participate in the specified
7 offenses; the level of involvement and the identity of all coconspirators and aiders and abettors
8 who are acting in concert with the interceptees of this application; and the precise nature and
9 scope of the illegal activities and conspiracy as described above, or for a period of 30 days
10 measured from the earlier of the day on which the investigative or law enforcement officers first
11 begin to conduct the authorized interception, or ten days after the date this Order is signed by the
12 Court.

13 IT FURTHER APPEARING THAT, during the course of the interception, the service
14 provider may change:

15 IT IS FURTHER ORDERED that this Order is binding on any domestic USA service
16 provider providing wire and electronic communications service to the Target Telephones
17 without further order of this Court upon service of a certified copy of this Order.

18 IT IS FURTHER ORDERED that T-Mobile, Verizon, AT&T, or any subsequent service
19 providers as defined in 18 U.S.C. § 2510(15), shall notify the applicant immediately if and when
20 the Device Number/ESN/IMSI/MEID, or the telephone number for any of the Target
21 Telephones is supplied to another service provider.

22 IT IS FURTHER ORDERED that in the event that the service provider for any of the
23 Target Telephones changes during the course of the interception, interception may continue
24 with the new service provider without further order of this Court upon service of a certified copy
25 of the

1 Court's Order.¹⁴ The United States will advise the Court of the change of service provider in the
2 periodic progress reports submitted to this Court.

3 IT IS FURTHER ORDERED that the authorization given during this 30-day period shall
4 apply not only to the telephone number listed above for the Target Telephones, but to any
5 changed telephone number(s) or other telephone number(s) subsequently assigned to or used by
6 the instrument(s) bearing the same IMEI numbers listed above, or to any new IMEI number(s)
7 assigned to the telephone number listed above for the Target Telephones. It is further ordered
8 that the authorization to intercept wire communications apply to background conversations
9 intercepted through the Target Telephones while the Target Telephones are off the hook or
10 otherwise in use. It is further ordered that the authorization to intercept the wire communications
11 of the Target Subjects and Interceptees occurring on the Target Telephones apply to voice-mail
12 messages intercepted as they are left or retrieved. It is further ordered that the authorization to
13 intercept the wire communications of the interceptees occurring over the Target Telephones
14 apply to any push-to-talk communications. The authorization is also intended to apply to the
15 Target Telephone numbers regardless of the service provider and to any background
16 conversations intercepted in the vicinity of the Target Telephones while the telephones are off
17 the hook or otherwise in use.

18 IT IS FURTHER ORDERED that, because of the inherent mobility of the Target
19 Telephones, and pursuant to 18 U.S.C. § 2518(3), in the event that the Target Telephones move
20 outside the territorial jurisdiction of this Court, the Northern District of California, interceptions
21 may still take place in the Northern District of California where interceptions will first occur and
22 be minimized.

23 IT IS FURTHER ORDERED that, pursuant to 18 U.S.C. § 2518(5), the period of
24 authorized interception set forth in the order runs from the earlier of the day on which the

25 ¹⁴ This order remains effective in the event that any of the Target Telephones are
26 transferred to another carrier pursuant to "Local Number Portability," which allows a telephone
27 user to change his telephone company but still keep the same telephone number. However, such
28 transferred effect of the order will apply only if any of the Target Telephones are transferred
(i.e. "ported") to another telephone carrier, and the telephone number and subscriber information
remain the same.

1 investigative or law enforcement officer first begins to conduct the authorized interception or ten
2 days after the Order is signed by the Court.

3 IT IS FURTHER ORDERED that, based upon the request of the applicant, pursuant to 18
4 U.S.C. §§ 2703, 3122 and 3123, T-Mobile, Verizon, the telephone service providers for the
5 Target Telephones, and any other related provider of wire and electronic communications
6 services as defined in 18 U.S.C. § 2510(15), shall provide the following services concerning the
7 Target Telephones, if available: caller I.D., speed dialing, call waiting, reverse number searches,
8 historical cell site information,^{2/} toll records, and related information as described above, pen
9 register data and trap and trace extended digit-dialed data, direct connect/digital dispatch ("Push
10 to Talk") services, three-way calling, and all other services. These services are to be provided to
11 the government on an "as needed basis" to be determined by FBI.

12 IT IS FURTHER ORDERED, based upon the request of the Applicant pursuant to 18
13 U.S.C. 2518(4) and 18 U.S.C. § 2518(5), that T-Mobile, Verizon, and any related wire and
14 electronic communication service providers as defined in 18 U.S.C. § 2510(15), shall furnish and
15 continue to furnish T-Mobile, Verizon, with all information, facilities, and technical assistance
16 necessary to accomplish the interceptions unobtrusively and with a minimum of interference with
17 the services that such service providers are according the persons whose communications are to
18 be intercepted, and to ensure an effective and secure installation of electronic devices capable of
19 intercepting wire communications over the above-described telephone facilities. T-Mobile,
20 Verizon, and AT&T may use all necessary and reasonable means to carry out the requested
21 interception. The service providers furnishing such facilities or technical assistance shall be
22 compensated by the applicant for reasonable expenses incurred in providing such facilities or
23 assistance. The switch mechanisms which allow law enforcement to receive audio shall be
24 programmed within four business hours of receipt of the Court's Order.

25 IT IS FURTHER ORDERED that, pursuant to 18 U.S.C. §§ 2703(c) and (d), T-Mobile,
26 Verizon, and any related wire and electronic communications service providers as defined in 18
27

28 ^{2/} This includes the physical address of the cell sites and sectors and corresponding
antenna information used to identify the location of the Target Telephones.

1 U.S.C. § 2510(15), shall disclose to FBI all published and non-published subscriber records and
2 other information (including toll records) relevant to this investigation, that is, all such
3 information pertaining to telephone numbers associated with telephones, digital display devices,
4 and mobile telephones utilized, if any, which may be requested in furtherance of this
5 investigation, within 24 hours of said verbal or written request, and, provide these records and
6 information electronically, when requested. Such information shall include, but not be limited
7 to, subscriber date of birth, driver's licenses (state of issuance and number), social security
8 number, available contact names and numbers, employment information, all telephone numbers
9 listed to subscribers under the same or different account, method of payment, length of service,
10 periods of telephone activation, account and billing information, and incoming and outgoing toll
11 information (both historical and ongoing), including direct connect/digital dispatch ("Push to
12 Talk") services and call detail. It is further ORDERED that, when requested, the service provider
13 shall provide toll information for up to the preceding 90 days. Based upon the specific and
14 articulable facts set forth in the affidavit attached to the application referenced above, there are
15 reasonable grounds to believe that the records and other information to be sought are relevant and
16 material to the ongoing criminal investigation, in that the records and other information will
17 assist law enforcement personnel in fully identifying the named interceptees, their co-
18 conspirators and associates, and in identifying locations used by the organization to conduct its
19 unlawful activities.

20 IT IS FURTHER ORDERED that the furnishing of said information, facilities, and
21 technical assistance by T-Mobile, and Verizon, shall terminate after 30 days measured from the
22 earlier of the day on which the investigative or law enforcement officers begin to conduct the
23 interception of wire and electronic communications pursuant to this Order, or ten days from the
24 date this Order is signed by the Court, unless otherwise ordered by this Court.

25 IT IS FURTHER ORDERED that, pursuant to Federal Rule of Criminal Procedure 41,
26 that FBI agents may obtain and use global positioning system ("GPS") precision location
27 information to monitor the precise physical location of the Target Telephones, including but not
28 limited to data indicating the specific latitude and longitude, or other precise location information

1 of the Target Telephones for a period of thirty days. There is probable cause to believe that the
2 precise location of Target Telephone at times determined by investigators will constitute or lead
3 to evidence of the Target Offenses.

4 IT IS FURTHER ORDERED that the warrant for the precise location information be
5 returned to the issuing judicial officer within ten days after the termination of the execution of
6 the Order.

7 IT IS FURTHER ORDERED that, pursuant to 18 U.S.C. § 3103a(b) and Federal Rules of
8 Criminal Procedure 41(f)(3), delay of the notification of the acquisition of geolocation
9 information is authorized until such time as the inventory required under Title 18, United States
10 Code, Section 2518(8)(d) is served.

11 IT IS FURTHER ORDERED, to avoid prejudice to this criminal investigation, any
12 individuals shall not disclose or cause a disclosure of this Court's Order, the request for
13 information, facilities, and assistance by the FBI, or the existence of the investigation to any
14 person other than those agents and employees of the FBI (including employees of state and local
15 task forces) who require this information to accomplish the requested interceptions.

16 IT IS FURTHER ORDERED that this Order shall be executed as soon as practicable
17 after it is signed and that all monitoring of wire and electronic communications shall be
18 conducted in such a way as to minimize the interception and disclosure of the communications
19 intercepted to those communications relevant to the pending investigation, in accordance with
20 the minimization requirements of Chapter 119 of Title 18 of the United States Code.

21 IT IS FURTHER ORDERED that the interception of wire and electronic communications
22 authorized by this Court's Order must terminate upon attainment of the authorized objectives or,
23 in any event, at the end of 30 days from the date of this Order, measured from the earlier of the
24 day on which the investigative or law enforcement officer first begins to conduct an interception
25 or ten days after the Order is signed by the Court.

26 IT IS FURTHER ORDERED that monitoring of wire and electronic communications
27 must terminate immediately when it is determined that the communications are unrelated to
28 communications subject to interception under 18 U.S.C. Chapter 119. Interception must be

1 suspended immediately when it is determined through voice identification, video surveillance,
2 physical surveillance, or otherwise, that none of the named Target Subjects and Interceptees or
3 any of their confederates, when identified, are participants in the communication, unless it is
4 determined during the portion of the conversation already overheard that the conversation is
5 criminal in nature. If the communication is minimized, the monitoring agent shall spot check to
6 ensure that the conversation has not turned to criminal matters. Special attention will be given to
7 the minimization of all federally-recognized privileges.

8 IT IS FURTHER ORDERED that permission is granted to utilize delayed minimization
9 as authorized by the provisions of 18 U.S.C. § 2518(5) for interceptions in foreign or coded
10 language. In the event that the intercepted communication is in a code or foreign language, and
11 an expert in that foreign language is not reasonably available during the period of interception,
12 minimization shall be accomplished as soon as practicable after such interception.

13 IT IS FURTHER ORDERED, that pursuant to 18 U.S.C. § 2518(5), and its provisions for
14 specialized minimization procedures when intercepting foreign language or coded
15 communications, the following minimization procedures be established:

- 16 a. Should foreign language translators not be reasonably available to minimize
17 communications on the spot, all such communications will be intercepted and
18 recorded in their entirety;
- 19 b. In the event the translator is not a federal agent, the translator, whether he/she is a
20 foreign language-trained support employee or under contract to the government,
21 will be under the supervision of a federal agent; and
- 22 c. Communications monitored by the translator under the supervision of a federal
23 agent will be minimized by the translator, and an English translation of the
24 pertinent criminal communications will be furnished to the supervising federal
25 agent.

26 IT IS FURTHER ORDERED that with respect to electronic communications in particular
27 (i.e. text messages) on Target Telephones 1 and 5, all monitoring of electronic communications
28 will be conducted in accordance with Chapter 119 of Title 18, United States Code. Each text

1 message will be reviewed over a secure system, and based on the identities of the sender and
2 recipient and the content of the message, monitoring personnel will determine as soon as
3 practicable after interception whether the text message appears to be relevant to the investigation
4 or otherwise criminal in nature. If the message is not criminal in nature, the message will be
5 marked "minimized" and not accessed by other members of the investigative team. If the
6 message appears to be privileged, it will be marked "privileged" and secured from access by
7 other members of the investigative team. If a text message appears to be relevant to the
8 investigation or otherwise criminal in nature, it will be marked "non-minimized" and may be
9 shared with the other agents and monitors involved in the investigation. If a text message is
10 marked "minimized" or "privileged," it will not be disseminated to members of the investigative
11 team. All intercepted text messages will be sealed with the court upon the expiration of the
12 court's order authorizing the interception. It is anticipated that the monitoring location will not
13 be staffed at all times, but will be staffed at regular hours, at which time intercepted
14 communications will be monitored and read (including those intercepted at hours when the
15 location was not staffed). However, even when unmanned, the monitoring location will be kept
16 secured with access limited to only authorized monitoring personnel and their supervising agents.

17 IT IS FURTHER ORDERED that Assistant United States Attorney William Frentzen, or
18 any other Assistant United States Attorney familiar with the facts of the case, provide the Court
19 with a report on or about the 15th day following the date law enforcement officers first begin to
20 conduct interception pursuant to the Court's Order showing what progress has been made toward
21 achievement of the authorized objectives and the need for continued interception. If this report
22 should become due on a weekend or holiday, it is ordered further that such report become due on
23 the next business day thereafter.

24 IT IS FURTHER ORDERED that this Court's Orders, the Application, the accompanying
25 Affidavit, minimization instructions, all periodic reports filed with the Court with regard to this
26 matter, and all other related documents be sealed until further order of this Court, except that
27 copies of the Orders, in full or redacted form, may be served on FBI and on others as necessary to

effectuate the Court's Orders.

DATED: Var, 2013

TIME: 11:18

HON. CHARLES R. BREYER
United States District Judge

EXHIBIT 19

(To be filed under seal)

ORIGINAL
FILED

2013 JUL 1 P 2:34

RICHARD M. PHILIPS
CLERK, U.S. DISTRICT COURT

CRB

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

CR

18 00 569MISC

No.

12 IN THE MATTER OF THE
13 APPLICATION OF THE UNITED
14 STATES FOR AN ORDER
15 AUTHORIZING THE INTERCEPTION
16 OF WIRE COMMUNICATIONS ON
17 CELLULAR TELEPHONE [REDACTED]
18 [REDACTED] AND TELEPHONE [REDACTED]
19 [REDACTED], AND THE OBTAINING OF GPS
20 PRECISE LOCATION INFORMATION
21 FOR CELLULAR TELEPHONE [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]
27 [REDACTED]

28 ORDER AUTHORIZING INTERCEPTION
29 OF WIRE COMMUNICATIONS AND
30 OBTAINING OF GPS LOCATION
31 INFORMATION

32 FILED UNDER SEAL

1 Application under oath having been made before me by William Frentzen, an Assistant
2 United States Attorney for the Northern District of California, an investigative or law
3 enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7), and an
4 attorney for the government as defined in Rule 1(b)(1)(B) of the Federal Rules of Criminal
5 Procedure, for an order authorizing the interception of wire communications and the obtaining of
6 global positioning system (herein “GPS”) precision location information, and full consideration
7 having been given to the matters set forth therein, the Court finds:

8 1. The Application is made pursuant to the authority of Deputy Assistant Attorney
9 General Paul O’Brien, a specially designated representative of the Attorney General of the
10 United States, and therefore satisfies the dictates of 18 U.S.C. § 2516(1).

11 2. There is probable cause to believe that the following individuals: Keith
12 JACKSON (“JACKSON”), [REDACTED], California State Senator Leland Yee
13 (“YEE”), [REDACTED], Kwok Cheung
14 CHOW, a/k/a Raymond Chow, a/k/a Shrimp Boy, a/k/a Ha Jai (“CHOW”), [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED], and others whose
18 identities are presently unknown (collectively, the “Target Subjects and Interceptees”), have
19 committed, are committing, and will continue to commit violations of one or more of the
20 following federal felony offenses enumerated in 18 U.S.C. § 2516 (the “Target Offenses”), that
21 is:

22 (a) mail fraud and wire fraud, in violation of Title 18, United States Code, Sections
23 1341, 1343, and 1346;
24 (b) money laundering, in violation of Title 18, United States Code, Section 1956;
25 (c) violations of the Travel Act, in violation of Title 18, United States Code, Section
26 1952;
27 (d) conspiracy to distribute controlled substances, in violation of Title 21, United
8 States Code, Section 846;

1 (e) distribution of controlled substances, in violation of Title 21, United States Code,
2 Section 841; and
3 (f) use of communication facility to commit or facilitate narcotics offense, in
4 violation of Title 21, United States Code, Section 843(b).

5 3. There is probable cause to believe that particular wire and electronic
6 communications of the Target Subjects and Interceptees concerning the offenses described
7 above, will be obtained through the interception of wire communications requested in this
8 application. Specifically, there is probable cause to believe that the cellular telephones bearing
9 the following identification described in further detail below:

10 **Target Telephone 2**

11 Suspected Primary User: Senator Leland YEE

12 Call Number: [REDACTED]

13 MEI: [REDACTED]

14 Provider: Verizon

15 Subscriber: [REDACTED]

16 San Francisco, CA 94121

17 **Target Telephone 4**

18 Suspected primary user: Senator Leland YEE

19 Call Number: [REDACTED]

20 Provider: AT&T

21 Type of telephone: land line

22 Subscriber: [REDACTED]

23 San Francisco, CA 94122

24 (herein "Target Telephones") are being used to commit the Target Offenses. There is also
25 probable cause to believe that the obtaining of precision location information of the **Target**
26 **Telephones** will constitute or lead to evidence of the Target Offenses. In particular:

27 a. There is probable cause to believe that the **Target Telephones** have been, are
28 now, and will continue to be used to commit the Target Offenses;
29 b. There is probable cause to believe that the **Target Telephones** have been, are
30 now, and will continue to be used by the Target Subjects and Interceptees in
31 connection with the commission and attempted commission of the Target
32 Offenses; and

1 c. There is probable cause to believe that particular wire communications of the
2 Target Subjects and Interceptees and others as yet unknown, concerning the
3 Target Offenses, will be obtained through the interception of wire
4 communications requested in this Application. In particular, the wire
5 communications are expected to identify, among other things:
6 (i) the nature, extent and methods of operation of all of the Target Subjects'
7 scheme to commit the Target Offenses;
8 (ii) the identity of all of the Target Subjects' accomplices, aiders and abettors,
9 co-conspirators and participants in their commission of the Target Offenses;
10 (iii) the receipt and distribution of all contraband and money involved in the
11 Target Offenses;
12 (iv) the locations and items used in furtherance of the Target Offenses;
13 (v) the existence and locations of all documents, books, records and other
14 recordings relating to the Target Offenses;
15 (vi) the location and source of all resources used to finance the Target Offenses;
16 and
17 (vii) the location and disposition of all of the proceeds from the Target Offenses.

18 4. Traditional investigative techniques have been tried and have failed. Additional
19 efforts to employ normal investigative techniques reasonably appear unlikely to succeed in the
20 future, or to be too dangerous to utilize, and they reasonably appear unlikely to reveal the full
21 scope of the unlawful activities, the roles of the individuals involved, or the identities of other
22 participants.

23 5. This Order authorizes the interception of wire communications on the **Target**
24 **Telephones** in connection with the pending investigation of violations of the Target Offenses.
25 Pursuant to Rule 41 of the Federal Rules of Criminal Procedure, this Order also authorizes the
26 obtaining and use of GPS precision location information for **Target Telephone 2**.

27 WHEREFORE, IT IS HEREBY ORDERED that Special Agents of the Federal Bureau of
28

1 Investigation ("FBI") and other federal and specifically designated local law enforcement
2 officers, as well as language specialists employed by the FBI, are authorized, pursuant to an
3 application authorized by a duly designated official of the Criminal Division, United States
4 Department of Justice, pursuant to the power delegated to him by special designation of the
5 Attorney General and vested in the Attorney General by 18 U.S.C. § 2516, to intercept the wire
6 communications of the Target Subjects and Interceptees on the Target Telephones concerning
7 the Target Offenses listed above. Pursuant to 18 U.S.C. § 2518(5), such interception shall not
8 terminate automatically after the first interception that reveals the manner in which the alleged
9 co-conspirators and others as yet unknown conduct their illegal activities, but may continue until
10 all communications are intercepted which reveal fully the manner in which the interceptees and
11 others as yet unknown are committing the offenses described herein, the manner in which the
12 interceptees and others as yet unknown participate in the specified offenses; the level of
13 involvement and the identity of all coconspirators and aiders and abettors who are acting in
14 concert with the interceptees of this application; and the precise nature and scope of the illegal
15 activities and conspiracy as described above, or for a period of 30 days measured from the earlier
16 of the day on which the investigative or law enforcement officers first begin to conduct the
17 authorized interception, or ten days after the date this Order is signed by the Court.

18 IT FURTHER APPEARING THAT, during the course of the interception, the service
19 provider may change:

20 IT IS FURTHER ORDERED that this Order is binding on any domestic USA service
21 provider providing wire and electronic communications service to the Target Telephones
22 without further order of this Court upon service of a certified copy of this Order.

23 IT IS FURTHER ORDERED that Verizon, AT&T, or any subsequent service providers
24 as defined in 18 U.S.C. § 2510(15), shall notify the applicant immediately if and when the
25 Device Number/ESN/IMSI/MEID, or the telephone number for any of the Target Telephones is
26 supplied to another service provider.

27 IT IS FURTHER ORDERED that in the event that the service provider for any of the
28 Target Telephones changes during the course of the interception, interception may continue

1 with the new service provider without further order of this Court upon service of a certified copy
2 of the Court's Order.¹⁴ The United States will advise the Court of the change of service provider
3 in the periodic progress reports submitted to this Court.

4 IT IS FURTHER ORDERED that the authorization given during this 30-day period shall
5 apply not only to the telephone number listed above for the **Target Telephones**, but to any
6 changed telephone number(s) or other telephone number(s) subsequently assigned to or used by
7 the instrument(s) bearing the same IMEI numbers listed above, or to any new IMEI number(s)
8 assigned to the telephone number listed above for the **Target Telephones**. It is further ordered
9 that the authorization to intercept wire communications apply to background conversations
10 intercepted through the **Target Telephones** while the **Target Telephones** are off the hook or
11 otherwise in use. It is further ordered that the authorization to intercept the wire communications
12 of the Target Subjects and Interceptees occurring on the **Target Telephones** apply to voice-mail
13 messages intercepted as they are left or retrieved. It is further ordered that the authorization to
14 intercept the wire communications of the interceptees occurring over the **Target Telephones**
15 apply to any push-to-talk communications. The authorization is also intended to apply to the
16 **Target Telephone** numbers regardless of the service provider and to any background
17 conversations intercepted in the vicinity of the **Target Telephones** while the telephones are off
18 the hook or otherwise in use. The authorization given is intended to apply not only to the target
19 telephone numbers listed above, but to any changed telephone numbers assigned to the same
20 cables, pairs and binding posts used by the target landline telephone, Target Telephone 4, within
21 the thirty (30) day period. The authorization is also intended to apply to the target telephone
22 numbers regardless of the service provided and to any background conversations intercepted in
23 the vicinity of the target telephones while the telephones are off the hook or otherwise in use.

24

25 ¹⁴ This order remains effective in the event that any of the **Target Telephones** are
26 transferred to another carrier pursuant to "Local Number Portability," which allows a telephone
27 user to change his telephone company but still keep the same telephone number. However, such
28 transferred effect of the order will apply only if any of the **Target Telephones** are transferred
(i.e. "ported") to another telephone carrier, and the telephone number and subscriber information
remain the same.

1 IT IS FURTHER ORDERED that, because of the inherent mobility of Target Telephone
2, and pursuant to 18 U.S.C. § 2518(3), in the event that Target Telephone 2 moves outside the
3 territorial jurisdiction of this Court, the Northern District of California, interceptions may still
4 take place in the Northern District of California where interceptions will first occur and be
5 minimized.

6 IT IS FURTHER ORDERED that, pursuant to 18 U.S.C. § 2518(5), the period of
7 authorized interception set forth in the order runs from the earlier of the day on which the
8 investigative or law enforcement officer first begins to conduct the authorized interception or ten
9 days after the Order is signed by the Court.

10 IT IS FURTHER ORDERED that, based upon the request of the applicant, pursuant to 18
11 U.S.C. §§ 2703, 3122 and 3123, AT&T, Verizon, the telephone service providers for the Target
12 Telephones, and any other related provider of wire communications services as defined in 18
13 U.S.C. § 2510(15), shall provide the following services concerning the Target Telephones, if
14 available: caller I.D., speed dialing, call waiting, reverse number searches, historical cell site
15 information,²⁷ toll records, and related information as described above, pen register data and trap
16 and trace extended digit-dialed data, direct connect/digital dispatch ("Push to Talk") services,
17 three-way calling, and all other services. These services are to be provided to the government on
18 an "as needed basis" to be determined by FBI.

19 IT IS FURTHER ORDERED, based upon the request of the Applicant pursuant to 18
20 U.S.C. 2518(4) and 18 U.S.C. § 2518(5), that AT&T, Verizon, and any related wire
21 communication service providers as defined in 18 U.S.C. § 2510(15), shall furnish and continue
22 to furnish AT&T, Verizon, with all information, facilities, and technical assistance necessary to
23 accomplish the interceptions unobtrusively and with a minimum of interference with the services
24 that such service providers are according the persons whose communications are to be
25 intercepted, and to ensure an effective and secure installation of electronic devices capable of
26 intercepting wire communications over the above-described telephone facilities. Verizon, and

27
28 ²⁷ This includes the physical address of the cell sites and sectors and corresponding antenna information used to identify the location of the Target Telephones.

1 AT&T may use all necessary and reasonable means to carry out the requested interception. The
2 service providers furnishing such facilities or technical assistance shall be compensated by the
3 applicant for reasonable expenses incurred in providing such facilities or assistance. The switch
4 mechanisms which allow law enforcement to receive audio shall be programmed within four
5 business hours of receipt of the Court's Order.

6 IT IS FURTHER ORDERED that, pursuant to 18 U.S.C. §§ 2703(c) and (d), AT&T,
7 Verizon, and any related wire communications service providers as defined in 18 U.S.C.
8 § 2510(15), shall disclose to FBI all published and non-published subscriber records and other
9 information (including toll records) relevant to this investigation, that is, all such information
10 pertaining to telephone numbers associated with telephones, digital display devices, and mobile
11 telephones utilized, if any, which may be requested in furtherance of this investigation, within 24
12 hours of said verbal or written request, and, provide these records and information electronically,
13 when requested. Such information shall include, but not be limited to, subscriber date of birth,
14 driver's licenses (state of issuance and number), social security number, available contact names
15 and numbers; employment information, all telephone numbers listed to subscribers under the
16 same or different account, method of payment, length of service, periods of telephone activation,
17 account and billing information, and incoming and outgoing toll information (both historical and
18 ongoing), including direct connect/digital dispatch ("Push to Talk") services and call detail. It is
19 further ORDERED that, when requested, the service provider shall provide toll information for
20 up to the preceding 90 days. Based upon the specific and articulable facts set forth in the
21 affidavit attached to the application referenced above, there are reasonable grounds to believe
22 that the records and other information to be sought are relevant and material to the ongoing
23 criminal investigation, in that the records and other information will assist law enforcement
24 personnel in fully identifying the named interceptees, their co-conspirators and associates, and in
25 identifying locations used by the organization to conduct its unlawful activities.

26 IT IS FURTHER ORDERED that the furnishing of said information, facilities, and
27 technical assistance by AT&T and Verizon, shall terminate after 30 days measured from the
earlier of the day on which the investigative or law enforcement officers begin to conduct the

1 interception of wire communications pursuant to this Order, or ten days from the date this Order
2 is signed by the Court, unless otherwise ordered by this Court.

3 IT IS FURTHER ORDERED that, pursuant to Federal Rule of Criminal Procedure 41,
4 that FBI agents may obtain and use global positioning system ("GPS") precision location
5 information to monitor the precise physical location of Target Telephone 2, including but not
6 limited to data indicating the specific latitude and longitude, or other precise location information
7 of Target Telephone 2 for a period of thirty days. There is probable cause to believe that the
8 precise location Target Telephone 2 at times determined by investigators will constitute or lead
9 to evidence of the Target Offenses.

10 IT IS FURTHER ORDERED that the warrant for the precise location information be
11 returned to the issuing judicial officer within ten days after the termination of the execution of
12 the Order.

13 IT IS FURTHER ORDERED that, pursuant to 18 U.S.C. § 3103a(b) and Federal Rules of
14 Criminal Procedure 41(f)(3), delay of the notification of the acquisition of geolocation
15 information is authorized until such time as the inventory required under Title 18, United States
16 Code, Section 2518(8)(d) is served.

17 IT IS FURTHER ORDERED, to avoid prejudice to this criminal investigation, any
18 individuals shall not disclose or cause a disclosure of this Court's Order, the request for
19 information, facilities, and assistance by the FBI, or the existence of the investigation to any
20 person other than those agents and employees of the FBI (including employees of state and local
21 task forces) who require this information to accomplish the requested interceptions.

22 IT IS FURTHER ORDERED that this Order shall be executed as soon as practicable
23 after it is signed and that all monitoring of wire and electronic communications shall be
24 conducted in such a way as to minimize the interception and disclosure of the communications
25 intercepted to those communications relevant to the pending investigation, in accordance with
26 the minimization requirements of Chapter 119 of Title 18 of the United States Code.

27 IT IS FURTHER ORDERED that the interception of wire communications authorized by
28 this Court's Order must terminate upon attainment of the authorized objectives or, in any event,

1 at the end of 30 days from the date of this Order, measured from the earlier of the day on which
2 the investigative or law enforcement officer first begins to conduct an interception or ten days
3 after the Order is signed by the Court.

4 IT IS FURTHER ORDERED that monitoring of wire communications must terminate
5 immediately when it is determined that the communications are unrelated to communications
6 subject to interception under 18 U.S.C. Chapter 119. Interception must be suspended
7 immediately when it is determined through voice identification, video surveillance, physical
8 surveillance, or otherwise, that none of the named Target Subjects and Interceptees or any of
9 their confederates, when identified, are participants in the communication, unless it is determined
10 during the portion of the conversation already overheard that the conversation is criminal in
11 nature. If the communication is minimized, the monitoring agent shall spot check to ensure that
12 the conversation has not turned to criminal matters. Special attention will be given to the
13 minimization of all federally-recognized privileges.

14 IT IS FURTHER ORDERED that permission is granted to utilize delayed minimization
15 as authorized by the provisions of 18 U.S.C. § 2518(5) for interceptions in foreign or coded
16 language. In the event that the intercepted communication is in a code or foreign language, and
17 an expert in that foreign language is not reasonably available during the period of interception,
18 minimization shall be accomplished as soon as practicable after such interception.

19 IT IS FURTHER ORDERED, that pursuant to 18 U.S.C. § 2518(5), and its provisions for
20 specialized minimization procedures when intercepting foreign language or coded
21 communications, the following minimization procedures be established:

- 22 a. Should foreign language translators not be reasonably available to minimize
23 communications on the spot, all such communications will be intercepted and
24 recorded in their entirety;
- 25 b. In the event the translator is not a federal agent, the translator, whether he/she is a
26 foreign language-trained support employee or under contract to the government,
27 will be under the supervision of a federal agent; and

c. Communications monitored by the translator under the supervision of a federal agent will be minimized by the translator, and an English translation of the pertinent criminal communications will be furnished to the supervising federal agent.

IT IS FURTHER ORDERED that Assistant United States Attorney William Frentzen, or any other Assistant United States Attorney familiar with the facts of the case, provide the Court with a report on or about the 15th day following the date law enforcement officers first begin to conduct interception pursuant to the Court's Order showing what progress has been made toward achievement of the authorized objectives and the need for continued interception. If this report should become due on a weekend or holiday, it is ordered further that such report become due on the next business day thereafter.

IT IS FURTHER ORDERED that this Court's Orders, the Application, the accompanying Affidavit, minimization instructions, all periodic reports filed with the Court with regard to this matter, and all other related documents be sealed until further order of this Court, except that copies of the Orders, in full or redacted form, may be served on FBI and on others as necessary to effectuate the Court's Orders.

DATED: 10, 2013

HON. CHARLES R. BREYER
United States District Judge